

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID D. RODGERS,

Defendant.

Case No. 5:23-po-00282-CDB \_\_\_\_\_

**ORDER ON DEFENDANT’S REQUEST FOR  
RULE 43 WAIVER OF APPEARANCE AND  
TO APPEAR REMOTELY FOR INITIAL  
APPEARANCE AS MODIFIED**

(Doc. 9)

Pending before the Court is Defendant’s request pursuant to Fed. R. Crim. P. 43(b)(2) that this Court proceed in his absence on every occasion that the Court may permit, including plea and sentencing. (Doc. 9 pp. 1-2). Through counsel, Defendant further requests that he be permitted to appear remotely from the U.S. District Court, District of Nevada, for his initial appearance on November 7, 2023. Defendant represents that he resides in Pahrump – for which this Court takes judicial notice is approximately 180 miles from Bakersfield – and appearing in person “would be a financial hardship.”

GOOD CAUSE APPEARING, **IT IS HEREBY ORDERED** that Defendant’s appearance may be waived at any and all proceedings except plea, trial and sentencing, until further order of the Court.

1           **IT IS FURTHER ORDERED** that Defendant is authorized to appear remotely for his  
2 initial appearance on November 7, 2023, at 10:00 AM, only from the U.S. District Court, District  
3 of Nevada.

4           Counsel for Defendant is **DIRECTED** to contact and coordinate with Courtroom Deputy  
5 Susan Hall to make arrangements for Defendant's remote appearance.

6 IT IS SO ORDERED.

7           Dated: **October 30, 2023**

  
UNITED STATES MAGISTRATE JUDGE